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FISCAL IMPACT STATEMENT

LS 6174

BILL NUMBER: SB 73

NOTE PREPARED: Nov 19, 2007

BILL AMENDED:

SUBJECT: Penalties for Overweight Vehicles.

FIRST AUTHOR: Sen. Wyss

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill: (1) requires that 50% of the amount of money collected as a civil penalty for a violation of a motor vehicle weight regulation be paid to the law enforcement agency that employed the law enforcement officer who issued the complaint and summons for the violation; (2) requires the law enforcement agency to use the money to enforce laws governing the operation of commercial motor vehicles; and (3) makes appropriations necessary for law enforcement agencies to spend the money.

(The introduced version of this bill was prepared by the Interim Study Committee on Transportation Matters.)

Effective Date: July 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues: *Summary:* Vehicles which are overweight by more than 10,000 pounds are subject to a Class A infraction, with a maximum judgment of \$10,000. Vehicles overweight by more than 5,000 pounds, but less than 10,000 pounds, are subject to a Class B infraction, with a maximum judgment of \$1,000. All other overweight vehicles are subject to a Class C infraction, with a maximum judgment of \$500. These judgments are currently deposited into the State Highway Fund. This bill diverts 50% of the judgment amounts for the Class A and Class B infractions to the law enforcement agency that employs the officer who issues the complaint and summons for the violation. (Judgments from the Class C infractions will continue to be deposited into the State Highway Fund.)

Specific data on the number of citations issued by local law enforcement officials and the number issued for overweight vehicles are not available. The three-year average for all overweight fines is \$962,400. Some

portion of this amount on average is subject to be diverted from the State Highway Fund to local law enforcement agencies. A precise estimate is indeterminable.

The law enforcement agency is to use the money to enforce laws governing the operation of commercial motor vehicles.

Background Information: The following table shows total collections for overweight fines for the last three fiscal years. These amounts include judgments for Class A, Class B, and Class C infractions.

Fiscal Year	Overweight Fines
FY 2005	\$1,013,643
FY 2006	1,027,678
FY 2007	845,917
Average	\$946,400

Explanation of Local Expenditures:

Explanation of Local Revenues: See *Explanation for State Revenues*.

State Agencies Affected: State Police; Department of Transportation.

Local Agencies Affected: Local law enforcement agencies.

Information Sources: Janie Cope, Assistant Settlement Director, Auditor of State, 317-233-3008; Settlement Reports for the years listed.

Fiscal Analyst: James Sperlik, 317-232-9866.